

CONTINUING APPLICATION TRANSMITTAL FORM
(37 C.F.R. § 1.53(b))

ANTICIPATED CLASSIFICATION OF THIS APPLICATION:

PRIOR APPLICATION: 09/452,827

CLASS: SUBCLASS:

EXAMINER: Wyrozubski-Lee, K.

ART UNIT: 1714

To the Assistant Commissioner for Patents:

This is a request for filing a continuation application under 37 C.F.R. § 1.53(b), of pending prior application Serial No. 09/452,827 filed on December 1, 1999, of Ronald Boyd Barbee, John Walker Gilmer, Sam Richard Turner, and James Christopher Matayabas, Jr., for "A POLYMER/CLAY NANOCOMPOSITE COMPRISING A FUNCTIONALIZED POLYMER OR OLIGOMER AND A PROCESS FOR PREPARING SAME".

If any extension of time is necessary for the filing of this application, including any extension of time necessary in the prior application for maintaining copendency between the prior application and this application, and such extension has not otherwise been requested, Applicant hereby petitions for such an extension in the prior application.

1. Enclosed is a specification as prescribed by 35 U.S.C. § 112 containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75, and any drawing required by § 1.81(a).

2. The inventor(s) of the invention being claimed in this application is(are): Ronald Boyd Barbee, John Walker Gilmer, Sam Richard Turner, and James Christopher Matayabas, Jr.

3A. ☒ This application is a continuation or divisional application (not a continuation-in-part) that:

- (i) names as inventors the same or fewer than all of the inventors named in the prior application; and
- (ii) contains no matter that would have been new matter in the prior application; and
- (iii) a copy of the executed oath or declaration filed in the prior application, showing the signature or an indication thereon that it was signed:

☒ is enclosed.
☐ will follow.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.53(d)(4), the Commissioner is requested to delete the name(s) of the following persons who are not inventors of the invention being claimed in this application:

--OR--

3B. ☐ This application is a continuation-in-part application, or a continuation or divisional application naming an inventor not named in the prior application. A newly executed oath or declaration:

☐ is enclosed.
☐ will follow.

4. ☐ Amend the Title of the Invention as follows:

5. ☒ Amend the specification by deleting the first paragraph of Page 1, lines 7 through 9, and inserting therefor:

This application is a continuation of, and claims the benefit of, application Serial No. 09/452,827, filed December 1, 1999, which status is allowed, which application claims priority to provisional patent application Serial No. 60/111,284, filed December 7, 1998, both of which applications are hereby incorporated herein in their entirety by reference.

6.	<input type="checkbox"/>	Priority of foreign application number , filed on in is claimed under 35 U.S.C. § 119.																																			
	<input type="checkbox"/>	The certified copy has been filed in prior application Serial No. , filed on .																																			
7.	<input checked="" type="checkbox"/>	Cancel in this application without prejudice, original claims 2, 6-11, 15-16, 19-24, 26-36, 38-49, and 51 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)																																			
8.	<input type="checkbox"/>	A preliminary amendment is enclosed.																																			
9.	<input type="checkbox"/>	New formal drawings are enclosed.																																			
10.	<input checked="" type="checkbox"/>	Also enclosed is/are: Authorization to Treat Reply Requiring Extension of Time as Incorporating Petition for Extension of Time and Payment of Extension of Time Fee																																			
11.	<input checked="" type="checkbox"/>	The prior application is assigned of record to: Eastman Chemical Company																																			
12.	<input type="checkbox"/>	Applicant claims small entity status. See 37 C.F.R. § 1.27.																																			
13.	The filing fee is calculated as follows:																																				
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">TOTAL CLAIMS</td> <td style="width: 20%;">11 - 20 =</td> <td style="width: 10%;">0</td> <td style="width: 20%;">0 x \$18.00</td> <td style="width: 30%;">\$0</td> </tr> <tr> <td>INDEPENDENT CLAIMS</td> <td>3 - 3 =</td> <td>0</td> <td>0 x \$84.00</td> <td>\$0</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (IF APPLICABLE) =</td> <td>+ \$280.00</td> <td>\$0</td> </tr> <tr> <td colspan="4">BASIC FEE =</td> <td>\$740.00</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$740.00</td> </tr> <tr> <td colspan="4">REDUCTION BY ½ FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. § 1.9, § 1.27, § 1.28)</td> <td>\$n/a</td> </tr> <tr> <td colspan="4">TOTAL NATIONAL FEE =</td> <td>\$740.00</td> </tr> </table>		TOTAL CLAIMS	11 - 20 =	0	0 x \$18.00	\$0	INDEPENDENT CLAIMS	3 - 3 =	0	0 x \$84.00	\$0	MULTIPLE DEPENDENT CLAIM(S) (IF APPLICABLE) =			+ \$280.00	\$0	BASIC FEE =				\$740.00	TOTAL OF ABOVE CALCULATIONS =				\$740.00	REDUCTION BY ½ FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. § 1.9, § 1.27, § 1.28)				\$n/a	TOTAL NATIONAL FEE =				\$740.00
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TOTAL NATIONAL FEE =				\$740.00																																	
14.	<input checked="" type="checkbox"/>	Credit Card Payment Form PTO-2038 authorizing payment in the amount of \$740.00 is enclosed.																																			
15.	<input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any fees which may be required under 37 C.F.R. § 1.16 and § 1.17, or credit any overpayment to Deposit Account No. 14-0629.																																			
16.	<input checked="" type="checkbox"/>	<p>The Power of Attorney in the prior application is to:</p> <p style="margin-left: 40px;">a. <input checked="" type="checkbox"/> The Power of Attorney appears in the original papers in the prior application.</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> Since the Power does not appear in the original papers, a copy of the power in the prior application is enclosed.</p> <p style="margin-left: 40px;">c. <input checked="" type="checkbox"/> Address all future correspondence to: (May only be completed by applicant, or attorney or agent of record.)</p> <p style="text-align: right; margin-right: 100px;"> Mitchell A. Katz Needle & Rosenberg, P.C. 127 Peachtree Street, N.E. Suite 1200, The Candler Building Atlanta, Georgia 30303-1811 </p>																																			

17. I hereby verify that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like are made punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Mark A. Murphy, Ph.D.
REG. NO. 42,915

Mark A. Murphy
SIGNATURE

Feb 08, 2002
DATE

- ☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or agent of record
☐ Filed under 37 C.F.R. § 1.34(a)
(Registration No. is acting under 37 C.F.R. § 1.34(a):

EXPRESS MAIL NO. EL924205578US

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Invoice No. EL924205578US in an envelope addressed to: BOX PATENT APPLICATION, Commissioner for Patents, Washington, D.C. 20231, on this 8th day of February, 2002.

Erick Calderon
Erick Calderon

2/8/02
DATE

ATTORNEY DOCKET NO. 05015.0251U2
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Barbee et al.)	
)	
Serial No.: Rule 1.53(b) continuation of U.S.)	
Serial No. 09/452,827 filed December 1, 1999)	Group Art Unit: Unassigned
)	
Filed: Concurrently)	Examiner: Unassigned
)	
For: "A POLYMER/CLAY NANOCOMPOSITE)	
COMPRISING A FUNCTIONALIZED)	
POLYMER OR OLIGOMER AND A)	
PROCESS FOR PREPARING SAME")	

1c929 U.S. PRO
10/072759
02/08/02

AUTHORIZATION TO TREAT REPLY REQUIRING EXTENSION OF TIME
AS INCORPORATING PETITION FOR EXTENSION OF TIME
AND PAYMENT OF EXTENSION OF TIME FEE

BOX PATENT APPLICATION
Commissioner for Patents
Washington, D.C. 20231

NEEDLE & ROSENBERG, P.C.
Suite 1200, The Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303-1811

February 8, 2002

Sir:


Pursuant to 37 C.F.R. § 1.136(a)(3), the Commissioner is hereby requested and authorized to treat any concurrent or future reply in the above-identified application, requiring a petition for an extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time.

ATTORNEY DOCKET NO. 05015.0251U2
PATENT

The Commissioner is also authorized to charge all required extension of time fees under 37 C.F.R. § 1.17 to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

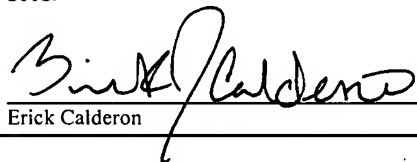


Mark A. Murphy, Ph.D.
Registration No. 42,945

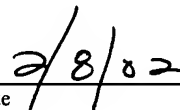
Suite 1200, The Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303-1811
(404) 688-0770

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EL924205578US in an envelope addressed to: Box Patent Application, Commissioner for Patents, Washington, D.C. 20231, on this 8th day of February, 2002.



Erick Calderon



Date